

Minutes of a Town Board Meeting of the Town of Riverhead held on the 7th day of July, 1987, at the Riverhead Town Hall, Riverhead, New York at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman

Absent: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Boschetti offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meeting held on May 19 and June 2, 1987 are hereby approved and dispensed without objection.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

BILLS approved by resolution #481

Supervisor Janoski, "I can't see a department head, but I believe some of them are here this evening should anyone have any question of them. Reports Mrs. Pendzick."

REPORTS

Conservation Advisory Council - Minutes of June 18, 1987. Filed

Building Dept. - Monthly report for June, 1987. Filed

Planning Board - Submits request for proposals for the Wading River Hamlet Study for adoption. Filed

Supervisor Janoski, "Applications."

APPLICATIONS

Petition-632 Town of Riverhead residents request a noise ordinance and solution to noise generated by Raceway. Filed

Petition-35 residents of Riverside Drive request residence "D" designation for their area. Filed

Petition-August Romano, et al for installation of lateral sewer mains and water mains. Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Leonard Feigenbaum, 6/23/87-Requests that the Special Permit for Seawatch Landing be extended for two years. Filed

Jamesport Fire Dept., 7/6/87-Requests permission for fireworks on July 25, 1987 and use of the showmobile on July 25, 1987. Filed

Phillip Cardinale, 7/7/87-Refers to the Town Code regarding parking permits for season cottages and requests an amendment to include them. Filed

Supervisor Janoski, "Thank you. There are no public hearings scheduled this evening. There is a lengthy list of Unfinished Business, some of which will be addressed this evening. I would recognize anyone wishing to be heard at this time. Yes ma'am."

Florence Sikora, Glenwood, "Good evening. I would like to submit this petition signed by 632 Riverhead residents. I would like to read the petition into the record. "We, the undersigned residents of the Town of Riverhead, do hereby petition our duly elected representatives on the Town Board to consider a noise ordinance for our town. In addition, we sincerely believe that the noise generated by the operation of the Riverhead Raceway is a health hazard to those in the area and respectfully request that solutions be sought to reduce the noise now generated". In addition, we have done extensive research regarding noise ordinances in other towns. We submit noise ordinances from the Towns of Islip, Southampton, Easthampton, and Brookhaven and the Village of Greenport. The Town of Southold has an ordinance regarding public disturbance, but not specifically a noise ordinance. The Town of Riverhead is the only town on the East End (excluding Shelter Island) that has not protected its citizens with some kind of noise ordinance. To assist our elected officials, we also submit a copy of a "Noise Impact Analysis" and a copy of a letter from the New York State Department of Environmental Conservation" regarding technical assistance involving noise control. In addition, we submit copies of two copies from two of our Riverhead Councilman, both dated August, 1986, (one year ago), stating that the Town Board is discussing creation of a law to regulate specific hours for automobile racing, and the other that he would do "everything in his power to help implement our requests". Gentlemen, that was one year ago! We have done all we can as citizens. We now turn to our elected officials to help us. We urgently request that at the very least, a public hearing for the adoption of a noise ordinance be held so that all citizens can voice their opinion. I thank you and can I please thank the people that have come. I think some from Glenwood, some from Foxwood and maybe some from Millbrook Park. I appreciate this turnout very much. Thank you."

Jessie Tomlinson, Wading River, "About three or four weeks ago, I spoke to Councilman Lombardi and told him about the serious garbage problem we have at the Wading River shopping center, King Kullen. This has been an ongoing problem and this year it's gotten worse than

PERSONAL APPEARANCES ContinuedJESSIE TOMLINSON, Continued

before. I spoke to some of the shop keepers there. They're also very upset. They tell me that they pay about two hundred dollars a month for maintenance which they are obviously not getting. That they seem to hesitate to withhold that payment for whatever reason. John, did check the place and he agreed with me that it was really a pig pen. There is broken glass in the parking lot, broken bottles all over the place. There was even a bag of stale old fish that the owner of the drug store had cleaned up himself. He had to go out and help a lady who had gotten a flat tire because of the broken glass and he said; that he even cleaned it up himself. John, as I said, went to check it out and agreed with me. I checked it tonight before I came here. I had noticed that there was a partial at something over the weekend. And I went there again tonight, and as far as I'm concerned, by any standards, it is a disgrace. This man, Nathan Schroder, who owns that shopping center, has a restriction in his permit that he must clean it up or you bill him for it. Obviously, for some reason or another, that's not being done. He's making a fool out of the five of you. He is abusing his privilege as a developer in our community. People shop there all the time. He is making millions and he will not even use the money that he is extracting from those shop owners to clean up the place. Now, I would really like to know what can be done. Because on the other side of the street, there's another shopping center and that's going to become garbage dump number two."

Supervisor Janoski, "Well, Jessie, we did check the permits issued to Schroder, the entire file. There is no reference to a maintenance requirement. However, resolution 476, I believe this evening, does address that shopping center. And the town will, upon failure of the owner to take immediate action, the town will go in itself and request a number of things besides the cleaning, providing of waste receptacles, the not caring of the landscaping, restriping for clear identification of the parking stalls there. I mean, anything that you can think of I think is being addressed here. So that's what we're doing."

Councilman Lombardi, "Jessie, I looked through the files. There is nothing. So I went into the code book. And the code book does take care of this. With Schroder, we had no covenants like we do now."

Jessie Tomlinson, "I thought... The reason... There's nothing there? Are you sure?"

Councilman Lombardi, "Not a thing. Irene looked it up. We all looked, the Building Department. So we do have something from the code. The Town Code covers all that. It was submitted to the Town Board and we are following up tonight."

Jessie Tomlinson, "So how much time would that take then before any action?"

PERSONAL APPEARANCES Continued

Supervisor Janoski, "There will be notice of this resolution and then just...."

Councilman Lombardi, "I had suggested to the Town Board that as much as I don't like chips, even if he puts chips in there or stones would make it better than that the nothing he has there now. He's got the black paper coming out or tar paper or whatever. So we are going to straighten him out."

Jessie Tomlinson, "Well, he deserves it."

Councilman Lombardi, "I agree with you."

Jessie Tomlinson, "I appreciate your going down there. At least you know that I think I probably wasn't exaggerating. In fact, I was probably kind to him when I told you what a pig pen it was. That is even a disgrace. There's one pail for the whole place."

Councilman Lombardi, "When I was down there, there was three garbage pales. But I had said to the Board that I think that should be subjective to type of bottles. He's got 55 gallon drums there and they look like 55 gallon drums."

Councilman Prusinowski, "That's why we enacted the local law several years ago to cover instances like this. Because you know in all our resolutions for site plans, (Jessie) we put in the standard language that we'll go there and clean it and attach a tax bill. We did have those instances that were pre-existing and we passed this local law which John pointed to, which gives us the authority to do this and we're going to take action."

Councilman Lombardi, "I was very surprised that we didn't have the covenants on there."

Supervisor Janoski, "Well, we did this before the resolution. Is there anyone else who wishes to be heard at this time? Let's move on to the resolutions."

RESOLUTIONS

#441 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 108-114(D) OF THE RIVERHEAD TOWN CODE.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 30th day of June, 1987 at 8:10 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to amending Section 108-114(D) of the Riverhead Town Code;

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purposes stated in said public notice.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Section 108-114(D) of the Riverhead Town Code be and is hereby adopted as follows:

- D. Parking shall be provided in conformity with the Parking Schedule and S108-60 of this chapter. For each parking space required, there shall be provided thirty (30) square feet of landscaped island or green area. Such areas shall not be less than eight (8) feet in width, measured on the shortest side. Such areas shall be contained by curbs conforming to the Town of Riverhead highway specifications. Said areas shall be landscaped ~~with-not-less-than-one-(1)~~ tree-every-thirty-(30)-feet in accordance with S108-64.1(D) of this chapter. Said areas shall be maintained as set forth in Subsection A above.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News Review and post the same at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Building Planning Department.

*broken line represents deletion

*underscore represents addition.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes.
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#442 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 108-119(C) OF THE RIVERHEAD TOWN CODE.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 30th day of June, 1987, at 8:10 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to amending Section 108-119(C) of the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purposes stated in said public notice.

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Section 108-119(C) of the Riverhead Town Code be and is hereby adopted as follows:

- C. Parking shall be provided in conformity with the Parking Schedule and S108-60 of this chapter. For each parking space required, there shall be provided thirty (30) square feet of landscaped island or green area. Such areas shall not be less than eight (8) feet in width, measured on the shortest side. Such areas shall be contained by curbs conforming to the Town of Riverhead highway specifications.

RESOLUTIONS Continued

Said areas shall be landscaped ~~with not less than one (1) tree every thirty (30) feet~~ in accordance with S108-64.1(D) of this chapter, and shall be maintained as set forth in Subsection A above.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and post same at the Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Building Department, the Riverhead Planning Board, and the Riverhead Planning Department.

*broken line represents deletion
*underscore represents amendments

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#443 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 101-3(B) OF THE RIVERHEAD TOWN CODE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 30th day of June, 1987, at 8:50 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to amending Section 101-3(B) of the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard on the date and at the time and place specified and for the purpose stated in said public notice.

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Section 101-3(B) of the Riverhead Town Code be and is hereby adopted as follows:

Intersection	Yield <u>Stop</u> Sign on	Entrance from
Middle Road	Deep Hole Road	West

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Highway Department.

*broken line represents deletion
*underscore represents amendments

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#444 ADOPTS RESOLUTION RE: AMENDMENT TO SECTION 47-(D) OF THE RIVERHEAD TOWN CODE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 30th day of June, 1987, at 8:50 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to amending Section 47-4(D) of the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard on the date and at the time and place specified and for the purpose stated in said public notice.

NOW, THEREFORE, BE IT

RESOLVED, that the amendment to Section 47-4(D) of the Riverhead Town Code be and is hereby adopted as follows:

- D. Shellfish may be taken for commercial purposes by a resident or taxpayer over the age of sixteen (16) years upon first applying for and obtaining a commercial permit from the Town Clerk of the Town of Riverhead. The fee for such permit shall be ~~twenty-dollars-(\$20)-~~ five dollars (\$5). and shall expire on the 31st day of December in the year of issue. A resident or taxpayer under the age of sixteen (16) years may obtain a commercial permit with parental consent.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution in the Riverhead News-Review and post same at the Town Hall.

*broken line represents deletion

*underscore represents addition

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#445 ADOPTS RESOLUTION RE: AMENDING SECTION 108-64.1(B) OF AND SECTION 108-64.1(D) OF THE RIVERHEAD TOWN CODE.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a public hearing to be held on the 30th day of June, 1987, at 7:50 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to amending Sections 108-64.1(B) and 108-64.1(D) of the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purpose stated in said public notice.

NOW, THEREFORE, BE IT

RESOLUTIONS Continued

RESOLVED, that the amendments to Section 108-64.1(B) and Section 108-64.1(D) of the Riverhead Town Code be and are hereby adopted as follows:

Delete Section 108-64.1(B) and replace with the following:

B. Trees. Trees shall be required along street frontages at a distance equal to the average diameter of the branching habit for the given species at maturity. Said requirement shall be specifically excepted by the Town Board when granting a change of zone or when it is deemed through the functions of site plan review that an esthetically acceptable substitute, appropriate to the use and location, has been provided. Such substitute must utilize a number of trees that is at least equal to that arrived at if placed along street frontages. The number of trees shall be computed without taking into account that footage devoted to driveways, and in no instance shall trees be planted within five (5) feet of a driveway or edge of a driveway.

Section 108-64.1(D) shall be amended as follows:

D. Where the applicant's building or buildings are retail non-residential buildings in nature and where the aggregate square footage is ~~twenty-five-thousand-(25,000)~~ ten thousand (10,000) square feet or more, the applicant must provide landscaped raised islands within the parking area at the rate of twenty (20) square feet of landscaped island per each parking space required. Such islands shall be landscaped at least eight (8) feet wide, measured on the shortest side, and surrounded by curbing that conforms to the town's standard specifications. Wherever possible, such islands shall be installed so as to separate parked vehicles. Such islands shall be landscaped with one (1) tree every ~~twenty-(2)-feet~~ one hundred (100) square feet and with appropriate shrubbery, which landscaping shall be maintained.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and post same at the Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Building Department, the Riverhead Planning Board and the Riverhead Planning Department.

*broken line represents deletion
*underscore represents amendments

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#446 ADOPTS RESOLUTION RE: ADDITION OF ARTICLE V(A) SECTION 108-20.1 TO THE RIVERHEAD TOWN CODE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLUTIONS Continued

WHEREAS, the Town Clerk was authorized to publish and post a public notice for a Public Hearing to be held on the 30th day of June, 1987, at 8:40 p.m. at the Town Hall for the purposes of hearing all interested persons with regard to proposed addition of Article V(A) Section 108-20.1 to the Riverhead Town Code; and

WHEREAS, all persons wishing to be heard were heard on said date and at said time and place specified and for said purpose stated in said public notice.

NOW, THEREFORE, BE IT

RESOLVED, that Article V(A) Section 108-20.1 Addition to the Riverhead Town Code be and is hereby adopted as follows:

ARTICLE V(A)
Residence D District

S108-20.1 Uses.

In the Residence D District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two (2) of the following permitted uses and their customary accessory uses:

A. Permitted uses.

(1) Agriculture, provides that no storage of manure shall be permitted within one hundred (100) feet of any side or rear lot lines or within one hundred fifty (150) feet of any street line.

(2) One-family dwellings.

(3) Parks and playgrounds, non-commercial.

(4) Libraries.

B. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot and not involving the conduct of a business. Specifically permitted are the following:

(1) Home occupations or professions conducted within the dwelling by the residence thereof.

(2) The sale at retail of homegrown or homemade products raised or produced on the premises, provided no roadside stands, tables or similar devices for the purpose of display or sale of such products shall be permitted in the front yard.

(3) Private garages, private boathouses, private greenhouses and similar accessory buildings for residences.

(4) Potato storage buildings, machinery storage buildings, greenhouses, irrigation pump houses and similar accessory buildings or structures for agriculture.

RESOLUTIONS Continued

(5) A temporary building or shed used during construction of a building or structure on the premises.

(6) Swimming pools constructed in accordance with S108-59 of this chapter.

(7) Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.

S108-20.2 General lot, yard and height requirements.

No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified. Variances from the Zoning Board of Appeals shall be necessary for non-conforming lot, yard and height requirements.

S108-20.3 Lot area.

A. No single-family dwelling shall be erected or converted on a lot having an area or less than twenty thousand (20,00) square feet and a width of less than one hundred (100) feet.

S108-20.4 Accessory buildings and structures.

A. Location.

(1) No accessory building or structure shall be erected, reconstructed or altered so as to be situate as follows:

(a) In a front yard.

(b) In a side yard unless the accessory building is forty feet from a side street line, ten (10) feet from a property line and ten (10) feet from any other building.

(c) In a rear yard unless the accessory building is ten (10) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line.

(d) One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A (1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line.

RESOLUTIONS Continued

(2) Excepted from Subsection A(1)(a), (b), (c) and (d) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one family dwelling. Fences on a corner lot must comply with S108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.

B. Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed or altered in conformity to the requirements hereof for a main building.

S108-20.5 Living area.

No dwelling shall be erected unless provision shall be made therein as follows:

A. For a single-family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than nine hundred (900) square feet of living area for the first story, but a maximum of two hundred (200) square feet of area of the second story may be used and applied to the area requirements for the first story.

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and post same at the Riverhead Town Hall; and be it further.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department, the Planning Board, and Planning Department.

*broken line represents deletions

*underscore represents amendments

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#447 AWARDS BID FOR POLICE UNIFORM CLOTHING.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for uniform clothing for the Riverhead Police Department; and

RESOLUTIONS Continued

WHEREAS, all bids were received, opened and read aloud pursuant to said Notice to Bidders; and

WHEREAS, a total of three (3) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for uniform clothing for the Riverhead Police Department be awarded as follows:

Standard Law Enforcement
Supply Company

Uniform Trousers-Miliken Mills
Light blue short-sleeved shirts

Somes Uniforms, Inc.

Nato Trousers
Navy blue long-sleeved shirts

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Standard Law Enforcement Supply Company, Somes Uniforms, Inc., and the Riverhead Police Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#448 AUTHORIZES TOWN CLERK TP PUBLISH AND POST NOTICE OF SCOPING HEARING WITH REGARD TO THE CHANGE OF ZONE FROM INDUSTRIAL TO RC (RETIREMENT COMMUNITY) RESIDENTIAL USE TO ALLOW THE CONSTRUCTION OF A RETIREMENT COMMUNITY DEVELOPMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, M.H. of L.I., Inc. has made application for a change of zone from industrial to RC (Retirement Community) residential use to allow the construction of a retirement community development, Wildwood Village, on the south side of Sound Avenue, west of Fresh Pond Avenue, Riverhead, New York, tax map no. 600-59-01-31. The application of M.H. of L.I. for a change of zone from industrial to RC (Retirement Community) proposes construction of a retirement community on 107.64 acre parcel, 304 units.

WHEREAS, the Town Board has, by resolution dated May 19, 1987, declared itself lead agency for the purpose of requirements of the New York State Environmental Quality Review Act; and

WHEREAS, based upon a review of the Environmental Assessment Statement filed with the Town Clerk, the Town Board determines that the application is a Type I action and that as such an action, it is necessary for the applicant to prepare and submit a Draft Environmental Impact Statement for consideration; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board as lead agency in the matter of the application of M.H. of L.I. to construct 304 total units on 107.64 acre parcel located on the south side of Sound Avenue, west of Fresh Pond Avenue, Riverhead, New York, more specifically described as Suffolk County Tax map No. 600-59-01-31, Section 59, Block 1, Lot 3.1 determines, based upon the Environmental Assessment Form filed with the Town Clerk that the application classified as a Type I Action according to the New York State Environmental Review Act, and the applicant is to submit a Draft Environmental Statement subsequent to the Scoping Hearing ordered below; and

RESOLUTIONS Continued

BE IT FURTHER RESOLVED, that a scoping hearing to discuss the issues to be addressed in the DEIS covering the above mentioned application shall be heard before the Town Board of the Town of Riverhead, at 200 Howell Avenue, Riverhead, New York at 7:45 p.m. on the 21st day of July, 1987 for all persons wishing to be heard, and

BE IT FURTHER RESOLVED, that the Town Clerk shall publish a copy of this notice in the Riverhead News Review in the July 9th issue, post a copy of this notice and serve a certified copy of this notice upon M.H. of L.I., Inc.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#449 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON ONE (1) 1987 FORD F-800 OR EQUAL DUMP TRUCK-HIGHWAY DEPT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on One (1) 1987 Ford F-800 or Equal requirements for use of the Town of Riverhead Highway Department for one year from date of award,

AND BE IT FURTHER RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:00 a.m. on July 20, 1987 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on July 20, 1987 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Bid On One (1) 1987 Ford F-800 or Equal.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#450 AUTHORIZES TOWN CLERK TO PUBLISH AND POST A "HELP WANTED" AD RE: MAINTENANCE MECHANIC II'S.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Riverhead Water District is proceeding through the largest and most rapid expansions in its history and the work loads within the existing boundaries of the Water District have increased dramatically the need for two Maintenance Mechanics II's has arisen.

NOW, THEREFORE, BE IT

RESOLVED, the Riverhead Town Board authorizes the Town Clerk to publish and post a "Help Wanted" Ad in the News-Review and Suffolk Life as follows:

RESOLUTIONS ContinuedHELP WANTED

The Riverhead Town Water District is seeking individuals to fill the position of Maintenance Mechanic II. Qualifications for this position are at least two years working experience in a skilled trade, such as plumbing or electrical, etc... Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications will be accepted for this position after July 23, 1987. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age or handicapped status in employment or the provision of service.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

(See Water District Minutes)

#451 ORDERS RESTORATION OF WETLANDS (STEVENOT PROPERTY).

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Conservation Advisory Council, by memo dated June 16, 1987, has advised the Town Board of violations of Chapter 107 of the Riverhead Town Code, tax map parcel 0600-119-1-28.2 and

WHEREAS, Section 107-9 provides that the Town Board shall serve notice when a violation of Chapter 107 has been determined.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby serves notice of violation pursuant to Section 107-9 of the Riverhead Town Code entitled, "Wetlands, Floodplains and Drainage", upon Robert Stevenot, as owner of the above-mentioned property (a copy of the deed is annexed hereto) and that the owner has caused a violation of Chapter 107 by bulldozing a freshwater wetland; and be it further

RESOLVED, that the owner must, within 30 days from the date hereof, submit a plan prepared by a licensed professional detailing the restoration of the wetland, which plan must be filed with the Riverhead Conservation Advisory Council; and be it further

RESOLVED, that the restoration, as provided in the plan as approved by the Conservation Advisory Council, must be completed within two months of the date hereof; and be it further

RESOLVED, that in the event such plan is not submitted or the work completed within the time periods specified herein, the owner may be determined liable pursuant to Section 107-9C, which states; "Any person, firm, corporation or entity who shall continue such violation beyond the time limit specified by the Town Board shall be guilty of another offense and shall, upon conviction thereof, be fined in an amount not to exceed one thousand dollars (\$1,000) for each offense or imprisoned thirty (30) days, or both", and Section 107-9D, which states, "Each day of such violation shall constitute a separate offense under this chapter."; and be it further

RESOLUTIONS Continued

RESOLVED, that the Town Clerk be and is hereby authorized to cause a certified copy of this resolution to be personally served upon Robert Stevenot, Jacob's Place, Aquebogue, New York, and the Conservation Advisory Council.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#452 AUTHORIZES PROMOTION FOR ACCOUNTING DEPARTMENT EMPLOYEE.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Accounting Department head did recommend Lisa Wulffraat for a promotion to the position of Account Clerk Typist,
NOW, THEREFORE, BE IT

RESOLVED, that Lisa Wulffraat is hereby appointed to the provisional position of Account Clerk Typist at an annual salary of \$17,683.81 as set forth in Group 9, Step 3, of the CSEA Clerical and Supervisory Salary Structure effective June 22, 1987.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#453 AUTHORIZES TRANSFER OF EMPLOYEE FROM ACCOUNTING DEPARTMENT TO BUILDING DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, Frances Friszolowski Senior Account Clerk did request a transfer to the Building Department,

NOW, THEREFORE, BE IT,

RESOLVED, that Frances Friszolowski be appointed to the position of Account Clerk in the Building Department at an annual salary of \$17,602.96 as set forth in Group 8, Step 4 of the CSEA Clerical and Supervisory Salary Structure, effective June 18, 1987.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#454 RESCINDS LIFEGUARD - RECREATION DEPARTMENT.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Robert Sikora was appointed Lifeguard effective June 20, 1987 to and including September 7, 1987, and

WHEREAS, Robert Sikora has indicated his inability to serve.

NOW, THEREFORE, BE IT RESOLVED,

RESOLUTIONS Continued

RESOLVED, that the appointment of Robert Sikora made in a Town Board Resolution under date of 6/16/87 be and is hereby rescinded.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#455 APPOINTS 90-DAY TEMPORARY LABORER TO HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, in order to have desired cement work completed within the Town it is necessary to hire temporary individuals to perform said work.

NOW, THEREFORE, BE IT

RESOLVED, that Leon Milden III be hired as a 90-Day Temporary Laborer at the hourly compensation rate of \$5.50 commencing July 6, 1987.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#456 APPOINTS 90-DAY TEMPORARY LABORER TO HIGHWAY DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, in order to have desired cement work completed within the town it is necessary to hire temporary individuals to perform said work,

NOW, THEREFORE, BE IT

RESOLVED, that Eron Crump be hired as 90-Day Temporary Laborer at the hourly compensation rate of \$5.50 commencing July 6, 1987.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#457 APPOINTS PATRICIA S. TORMEY AS CHAIRPERSON OF ZONING BOARD OF APPEALS.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, Pat Tormey be and is hereby appointed Chairperson of the Riverhead Zoning Board of Appeals, effective June 1, 1987; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Zoning Board of Appeals and Patricia S. Tormey.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#458 APPOINTS KENNETH WELLS AS ACTING CHAIRPERSON OF THE ZONING BOARD OF APPEALS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, Kenneth Wells be and is hereby appointed Acting Chairperson of the Riverhead Zoning Board of Appeals, effective June 1, 1987; and

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Zoning Board of Appeals and Kenneth Wells.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#459 TERMINATES EMPLOYMENT OF LARRY GORMAN - HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Notice of Charges and Statement of Charges were served upon Lawrence Gorman for disciplinary proceedings pursuant to Section 75 of the Civil Practice Law and the Riverhead CSEA Contract; and

WHEREAS, a hearing was held on June 3, 1987, before the Town Board and the Superintendent of Highways; and

WHEREAS, Lawrence Gorman failed to appear to answer the charges brought against him..

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the disciplinary proceedings pursuant to Section 75 of the Civil Practice Law and the Riverhead CSEA Contract, Lawrence Gorman be and is hereby terminated from employment with the Town of Riverhead Highway Department; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward certified copies of this resolution to Lawrence Gorman and the Riverhead Highway Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#460 AWARDS BID FOR FIRST STREET PARKING PROJECT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the First Street Parking Project; and

RESOLUTIONS Continued

WHEREAS, all bids were received, opened and read aloud pursuant to said Notice to Bidders; and

WHEREAS, a total of five (5) bids were received.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the First Street Parking project be and is hereby awarded to A.T. Asphalt Corp. in the amount of \$569,221.25; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to A.T. Asphalt Corp. and the Highway Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#461 REJECTS BIDS RE: REALIGNMENT OF SCHULTZ ROAD AND AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, bids were received and opened on May 21, 1987, for the realignment of Schultz Road pursuant to a notice to bidders for that purpose; and

WHEREAS, five (5) bids were received; and

WHEREAS, objection was raised as to the time limit to submit a bid regarding Addendum #1 to the bid specifications.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the notice to bidders in the Riverhead News-Review.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#462 ACCEPTS BOND AND LETTER OF CREDIT OF PHEASANT RUN (TONY GOLFO)

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, THE Riverhead Planning Board, by resolution dated March 9, 1987, approved the final plat entitled "Pheasant Run" subject to the posting of a bond in the amount of \$273,000.00 to cover the cost of the improvements required by said resolution in a form approved by the Town Attorney; and

WHEREAS, the applicant has forwarded to the office of the Town Attorney a letter of credit, which has been approved as to form, and

WHEREAS, the applicant shall be required to execute a bond to secure said letter of credit.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the resolution of the Riverhead Planning Board, the Town Board of the Town of Riverhead does hereby accept the bond of Finecraft Enterprises, Inc., and the Letter of Credit which it secures, assuring the completion of the improvements in the subdivision known as "Pheasant Run" covering the improvements directed by the Planning Board, to be completed within 18 months from the date hereof; to wit, January 7, 1989; and be it further

RESOLUTIONS Continued

RESOLVED that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Finecraft Enterprises, Inc., P.O. Box 67R, Wading River, New York, 11792, and to the Riverhead Planning Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#463 APPROVES LANDSCAPE PLAN FOR LYNCH HOMES.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Lynch Homes, Inc., was granted site plan approval to construct four (4) model homes on property located on Old Country Road, Riverhead, New York; and

WHEREAS, the Planning Department has requested that a landscape plan be adopted in conjunction with said site plan approval.

NOW, THEREFORE, BE IT

RESOLVED that the submitted landscape plan be adopted in conjunction with the site plan approval of Lynch Homes, Inc.; and be it further

RESOLVED that all areas around the models and parking area are to be grass, which are to be serviced by an automatic sprinkler system; and be it further

RESOLVED that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for the Lynch Homes, Inc., the Riverhead Building Department and the Planning Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#464 APPROVES SITE PLAN OF RIVERHEAD BUILDING SUPPLY CORP.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, a site plan was submitted by Riverhead Building Supply Corp. for parking lot & planting area to be located at Ostrander Avenue, Riverhead, New York, 11901; and

WHEREAS, the Planning Department has reviewed the site plan dated March 16, 1987, revised June 19, 1987, as prepared by Young & Young, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved, and

WHEREAS, this Town Board has reviewed the site plan aforementioned, dated March 16, 1987, revised June 19, 1987, and submitted by Riverhead Building Supply Corp.

NOW, THEREFORE, BE IT

RESOLVED that the site plan submitted by Riverhead Building Supply Corp. for parking lot and planting area to be located at Ostrander Avenue, Riverhead, New York, 11901 site plan dated March 16, 1987, revised June 19, 1987 as prepared by Young & Young be and is hereby approved, subject to the following:

RESOLUTIONS Continued

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town shall at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

4. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

5. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Riverhead Building Supply Corp. hereby authorizes the Town of Riverhead to enter premises at Ostrander Avenue, Riverhead, New York, 11901 to enforce said handicapped parking regulations;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Building Supply Corp., Riverhead Building Department and the Riverhead Planning Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of July, 1987 by Riverhead Building Supply Corp., with offices at Ostrander Avenue, Riverhead, New York, 11901, Declarant.

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

RESOLUTIONS Continued

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

The Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

4. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

7. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

RESOLUTIONS Continued

On this _____ day of July, 1987, before me personally came _____ of Riverhead Building Supply Corp. the owner of certain real property located at Ostrander Avenue Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#465 AUTHORIZES PUBLICATION OF NOTICE FOR WADING RIVER HAMLET STUDY.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Town Board of the Town of Riverhead is in the process of revising the Town's Master Plan, and

WHEREAS, the Planning Board has identified a need to complete a Hamlet Study for the area known as Wading River, and

WHEREAS, a Request for Proposals outlining the scope of work for the Hamlet Study has been developed by the Planning Board;

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Riverhead authorize the Town Clerk to publish a legal advertisement for the acceptance of proposals for the Wading River Hamlet Study in the Thursday July 16, 1987 edition of the Riverhead News-Review.

The vote Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Sherry Johnson, Manorville, "You're going to declare yourself lead agent on this project according to the resolutions."

Supervisor Janoski, "That's what the resolution proposes."

Sherry Johnson, "I am aware that Ms. Joan Scher of the D.E.C., the Regional Attorney, requested a coordinated review in regards to this matter. I was wondering if she was aware that you are undertaking this action?"

Supervisor Janoski, "I really can't answer that question because I don't know."

Sherry Johnson, "Then I would request that you table this until you find out."

Supervisor Janoski, "What was the name of that individual?"

Sherry Johnson, "Joan Scher, D.E.C. Regional Attorney."

PERSONAL APPEARANCES Continued

Councilman Pike, "In fact, Mr. Supervisor, the lead agency question came up, and I'm sorry I wasn't at the work session, I spoke to Dick Ehlers and I'm aware of the request out of Joan Scher. And I asked him before we ever moved on lead agency, to make sure that her concerns were addressed. And I was led to believe that that was resolved by our prior lead agency resolution. If it has not been, I (again) think it ought to be. So I would join in Sherry's request in this and ask that we not move this resolution."

Pete Danowski, Attorney, "For the applicant, I'm the attorney who submitted the original application. Without being quoted, I don't know specifically the time frame, but it's certainly been many months ago when I submitted the application to this Town Board. Unfortunately, when Ms. Johnson just spoke, I wasn't here for the beginning of her session. I don't know if she's speaking in a representative capacity as a member of the C.A.C. or as a member of the Pine Barrens (I don't know if it's) Commission or some other entity, but it's my understanding on the SEQRA rule, that this Town Board was mandated to make a decision within a time frame after the submission of my application and that was not done. I have not done anything further until the other day after attending numerous work sessions in which I was led to believe (after some informal discussions and certainly not calling the Board to task for having those informal sessions) that lead agency would be declared by this Town Board and it never was. There have been all kinds of rumors and innuendos about the applicant's being bought out. The nature conservancy is going to buy the property. The County of Suffolk is going to condemn the property. The County of Suffolk is going to buy the property. That's just not a fact and we don't want to be bought out. We have certain rights as property owners. We have certain rights as contract vendees. We want to develop the parcel. As you know, we brought a project before this town which would dedicate over 70% of the area to whatever the town wants. The town, the County of Suffolk, the Planning Board of the existing parkland. We are covenanted in perpetuity never to build on it. This is a time when the taxpayer doesn't get hit. It's actually a free give away by the owner and we've done what was even (in the terms of my opponents) a project as a well planned project. Some of the opponents who spoke for us when we briefly appeared before the Planning Board even gave us that credit that it was a nice plan. Well be it, they said not one building should not be built on the property. I don't think this Board at this stage, when we're talking about compliance with SEQRA, should ignore the fact that we are compelled to determine lead agency and have failed to do so. I don't come here with a new application. I don't come here asking for lead agency. You must declare lead agency and you failed to do it. And there are certain rights that my client has that I've discussed with them and they follow through on what their rights are. If you fail tonight, somewhere in the future we will state the fact that you failed to act. And as far as the D.E.C. is concerned or the County of Suffolk is concerned, or any other agency is concerned, they can have their input after lead agency is declared. But I'm telling you also, that the building envelopes here are outside a half mile distance from the river. If the building envelopes themselves are more than 200 feet away from any pond. And I'm suggesting that D.E.C. does not even have jurisdiction. Be that as it may, you can act any way you want and my client will act in response thereto. As Mr. Pike has mentioned, and

PERSONAL APPEARANCES ContinuedPeter Dąrowski, Continued

I think we've been fairly candid with this Board member here, what is the harm in declaring lead agency so the environmental aspects of this project can be aired by all sides both for and against. I don't think anyone on this Board has said to me, formally or informally that they're against the idea or at least concerned. We've gone through the time and trouble of hiring an expert to address the issues and we're prepared to move forward on the environmental issues. That's all lead agency is doing at this point. You act any way you want and I'll advise my client how to act."

Sherry Johnson, "First off, I'm a representative as the Pine Barrens Society. I have just today, sent a letter to George Bartunek of the C.A.C. that I will be abstaining on this matter concerning the C.A.C. since I have already expressed my objections before another Board which is the Planning Board. First off, Pete calls for a coordinated review and there's more than declaring lead agency involved here."

SPEAKER SYSTEM AND TAPE RECORDER MALFUNCTION CAUSING THE CONTINUING REMARKS TO GO UNRECORDED.

Sherry Johnson, (verbatim) "...requests a coordinated hearing. Ms. Scher did that. I have a copy of her letter home. The letter was dated in April. I also have a copy of your response dated May 6th to the County Planning to her regarding Dr. Koppelman's proposal to act as lead agency for the County Planning Commission. I suggest that you immediately contact them and set up a meeting so that you can determine lead agency. The project was redrawn to be placed above the quarter mile line. However, I would like to see that line validated. As the plan does stand now, they are not 200 feet from wetlands. They are less than a hundred feet from wetlands boundaries which is the vegetation, not the actual surface water. And I would basically like to see a coordinated review. I think you should table this."

Councilman Pike, "One of the things I think we could consider here that would be moving it forward would be to try to schedule a meeting with the person and the Board that would be the final arbitrator of the conflict over lead agency which would be the Regional Director of the D.E.C. So to the extent that I do agree with Pete, that environmental review of this project is absolutely necessary and should be allowed to go ahead. And I do agree that we've got to go ahead. I didn't want to get into a technical stall here simply because we're not sure what to do. I will suggest that we immediately contact the Regional Director and schedule a meeting so that we can get this issue resolved once and for all. It has been hanging around for far too long. In the meantime, I will move to table."

Supervisor Janoski, "There is a motion to table."

Councilman Boschetti, "I'll second it."

Supervisor Janoski, "The resolution has been moved and seconded."

RESOLUTIONS Continued

#466 DECLARES TOWN BOARD AS LEAD AGENCY RE: CHANGE OF ZONE APPLICATION OF RJK HOUSING ASSOCIATES/OCEANSIDE ENTERPRISES.

Councilman Pike offered the following resolution TO BE TABLED which was seconded by Councilman Boschetti.

WHEREAS, RJK Housing Associates/Oceanside Enterprises, has applied for a special permit/change of zone for a clustered residential development, 81 units of 2-3 units per building on 27 acres with 70 acres to be dedicated to Suffolk County for open space, located at Old River Road, Manorville, New York; and

WHEREAS, pursuant to the Code of the Town of Riverhead, the New York Environmental Conservation Law and Part 617 of the New York Code of Rules and Regulations, the applicant has filed a long environmental assessment form as prepared by the applicant; and

WHEREAS, it is necessary to evaluate the proposed action and its potential effects upon the environment and the Town Board is the principal decision making agency on the proposed action.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, pursuant to the applicable statutes, law and rules, does hereby designate itself as "Lead Agency" for the purpose of reviewing the environmental impacts of the proposed change of zone from Industrial A and Agricultural A to Recreational District for a clustered residential development and does direct that the appropriate notice of said designation be served upon all other applicable jurisdictions, agencies, bodies and interested parties.

The vote, Boschetti, yes, Pike, yes, Prusinowski, no, Lombardi, no, Janoski, no.

The resolution TO BE TABLED was thereupon duly declared denied.

Councilman Prusinowski offered the above resolution which was seconded by Councilman Lombardi.

Councilman Boschetti, "Sherry, do you have copies of these letters that could be made available to me?"

Sherry Johnson, "Yes, I certainly do."

Councilman Boschetti, "As soon as you could. In fact, tomorrow?"

Sherry Johnson, "I can get them to you tomorrow morning at 9 o'clock."

Councilman Boschetti, "Terrific. Thank you."

The vote, Boschetti, no, Pike, no, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Pike, (before voting) "For the simple reason, that voting yes will serve to delay environmental review because there is going to be a conflict over who the proper lead agency is, and because I think this does deserve frugal and quick environmental review, I'm going to vote no. And again, recommend to the Board

RESOLUTIONS ContinuedCouncilman Pike, Continued

that they support defeating this and we get to the Regional Director, get the lead agency resolved and get on with it. I vote no."

Councilman Prusinowski, (before voting) "As a matter of fact, before Dick left to go south, I briefly talked to him about this and I was aware that the D.E.C. had some input into this. I do know that we asked the Suffolk County Planning Department to be the Lead Agency. We got some correspondence back that they suggested that the Suffolk County Legislature be the lead agency. I can not go with that. The D.E.C. will be involved in this project. I was not crazy with the original proposal as Peter knows, when we had the tri-board meeting. It is an environmentally sensitive area. This is the beginning of the long environmental process. It's very easy to grandstand and make statements that will imply to the public here that the public interest is not being served when the fact is most of the people or one of these commissions don't let anything go. The fact is that the County Legislature is going to authorize money to buy up most of the Pine Gardens in this area. And the fact is, to get a project approved today is a very long lengthy environmental process which costs thousands of dollars both from the developer and the taxpayers. The public interest is definitely served. You must have an environmental impact statement. It's very easy to get up here and say, well if we don't have this and that,.... I do know how this works. I'm voting yes to proceed on this thing. If somebody can show me that I'm absolutely way off base or wrong, I'd be happy to change my vote later on. But as it stands right now, I'm voting yes."

Councilman Lombardi, (before voting) "I feel that being lead agency is the way to go and somebody has to take it. Either the D.E.C. or the Town of Riverhead. So right now, we've been waiting for the D.E.C. to take it. Nobody wants to take it so we'll take it and then we'll see what happens. I vote yes."

Supervisor Janoski, "I have met with the various individuals in county government regarding this project including Dr. Koppelman. Discussion with a wide range of people and my understanding is that the D.E.C. can not usurp this lead agency status from the Town unless it is a very extraordinary situation and it would have to be done by the commissioner of the D.E.C. I believe that this lead agency status belongs with the town government in which the property is located. And the D.E.C. will be one of the agencies notified during this process and they can have all the input they want in this process. I vote yes."

#467 APPROVES EXTENSION OF SPECIAL PERMIT RE: KIMBROOK ENTERPRISES.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, an application was made for a special permit by Kimbrooke Enterprises, Inc., also known as Seawatch Landing, (hereinafter referred to as Kimbrooke), for 165-unit condominium development, tennis court and restaurant facility with beach access to be located on a 55-acre parcel of wooded, shorefront land East of Iron Pier in the Town of Riverhead; and

7/7/87

RESOLUTIONS Continued

WHEREAS, said special permit was approved and adopted on August 5, 1986 by the Town Board of the Town of Riverhead; and WHEREAS, the special permit for Kimbrooke Enterprises, Inc. by its Attorney I. Leonard Feigenbaum, has requested a two-year extension of said special permit.

NOW, THEREFORE, BE IT

RESOLVED, the Riverhead Town Board approves a two-year extension of Kimbrooke Enterprises, Inc., special permit-expiration of special permit being August 5, 1989; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kimbrooke Enterprises' Attorney I. Leonard Feigenbaum and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Do you wish to be recognized?"

Peter Danowski, "Again, with regard to this application, just so it's not confusing. On the special permit, there's two factors on time periods. Three years applies on the time to begin and complete construction. I don't want to hear or I don't want to suggest that the Board has just said that this man has only got a permit for three years. Once he builds his buildings, he's got to take them down. So the three years is the three years to begin construction."

Councilman Pike, "We're getting tough Pete but not that tough."

#468 TOWN OF RIVERHEAD REQUESTS THAT THE SUFFOLK COUNTY DEPARTMENT OF PUBLIC WORKS CONDUCT A TRAFFIC STUDY TO DETERMINE THE ADVISABILITY OF THE INSTALLATION OF A TRAFFIC CONTROL LIGHT AT SAID LOCATION.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, Hazeltine maintains plant operations in the Town of Riverhead with roadway access to County Route 58; and

WHEREAS, the increase of traffic volume on the Route 58 corridor has raised apprehension concerning the access and egress to the Hazeltine plant, most particularly at change of shift periods of time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead does request that the Suffolk County Department of Public Works conduct a traffic study to determine the advisability of the installation of a traffic control light at that location; and

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Bart Cass, Commissioner of Public Works; Richard Stramy, Highway Safety; and Legislature Gregory J. Blass.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

7/7/87

RESOLUTIONS Continued

#469 TRANSFER OF FUNDS - SEWER DISTRICT.

(See Sewer District Minutes)

#470 AUTHORIZES DISPOSITION OF TOWN EXPENDITURES.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, by the Town Board of the Town of Riverhead, that Irene J. Pendzick, Town Clerk, be and hereby is authorized to dispose of record item Number 439 JUNK DEALERS LICENSES on Records Retention and Disposition Schedule N. 19-TC-1 and be it

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to furnish a Certified Copy of this Resolution to be forwarded to the Commissioner of Education.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#471 APPOINTS POLICE OFFICES AND PLACES THEM ON ONE-YEAR LEAVE OF ABSENCE.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the following individuals be and are hereby appointed to the position of Police Officer with the Town of Riverhead effective July 3, 1987:

Conrad M. Dabrowski
Brian Gleason
John J. Matlak
David Lessard
Emil C. Breitenbach.

FURTHER BE IT RESOLVED, that the above named individuals be and are hereby placed on a one-year leave of absence effective July 3, 1987.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Just as a matter of explanation, they will be on a leave of absence until the next scheduling of Police Academy training for the municipality being September."

#472 SAME AS #476.

RESOLUTIONS Continued

#473 AUTHORIZES ISSUANCE OF \$323,000 SERIAL BONDS AND \$17,000 CAPITAL NOTES RE: PURCHASE OF PAYLOADER FOR SANITATION DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

BE IT RESOLVED, by the Town Board of the Town of Riverhead, New York, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the purchase of a payloader for the use of the Sanitation Department in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$323,000 serial bonds of said Town and \$17,000 capital notes of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is \$340,000, and the plan for the financing thereof is as follows:

a) By the issuance of the \$323,000 serial bonds of the Town of Riverhead, Suffolk County, New York, authorized to be issued pursuant to this bond resolution. Further details concerning said bonds will be prescribed in a further resolution or resolutions of this Town Board; and

b) By the issuance of the \$17,000 capital notes of said Town authorized to be issued pursuant to this bond resolution. Such capital notes shall be sold at private sale and all further powers in connection with the details and the sale thereof are hereby delegated to the Supervisor, the chief fiscal officer, in accordance with the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, the proceeds from the sale of such capital notes will be provided from the sale of such capital notes will be provided prior to the issuance of the bonds herein authorized or bond anticipation notes. Said capital notes shall constitute the down payment required by Section 107.00 of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

RESOLUTIONS Continued

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. The validity of such bonds, capital notes and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same shall be published in full in the Riverhead News-Review, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#474 APPROVES SITE PLAN OF RIVER CENTER ASSOCIATES.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, a site plan and elevations were submitted by River Center Associates for a new building (designated Building "C") and an addition to an existing building (designated Building "D") to be located at Route 58, Riverhead, New York; and

WHEREAS, the Planning Department has reviewed the site plan dated January 20, 1987, last revised July 6, 1987, as prepared by Steve G. Tsontakis Associates, and elevations dated January 20, 1987, last revised July 6, 1987, as prepared by Steven G. Tsontakis Associates, and has recommended to the Town Board of the Town of Riverhead that said site plan application to be approved, and

RESOLUTIONS Continued

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned, dated January 20, 1987, last revised July 6, 1987 and submitted by Steven G. Tsontakis Associates.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by River Center Associates for a new building and an addition to an existing building to be located at Route 58, Riverhead, New York, site plan dated January 20, 1987, last revised July 6, 1987, as prepared by Steve G. Tsontakis Associates, and elevations dated January 20, 1987, last revised July 6, 1987, as prepared by Steven G. Tsontakis Associates.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by River Center Associates for a new building and an addition to an existing building to be located at Route 58, Riverhead, New York, site plan dated January 20, 1987, last revised July 6, 1987, as prepared by Steven G. Tsontakis Associates, be and are hereby approved subject to the following:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town shall at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property, that all signage so proposed shall be coordinated in appearance and design and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, be maintained at the premises;

6. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

8. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, River Center Associates hereby authorizes the Town of Riverhead to enter premises at Route 58, Riverhead, New York to enforce said handicapped parking regulations;

RESOLUTIONS Continued

9. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles R. Cuddy, attorney for the applicant, the Riverhead Planning Department and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of July, 1987, by RIVER CENTER ASSOCIATES, a partnership, with offices at 4623A Sunrise Highway, Bohemia, New York, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead in covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure, prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the Code of the Town of Riverhead shall be complied with;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

RESOLUTIONS Continued

4. Trash receptacles of a decorative design approved by the Planning Department prior to their installation at the site, shall be maintained at the premises;

5. Parking, paving and drainage shall be provided pursuant to specifications outlined in the Riverhead Town Code;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code;

7. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a station stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. That any and all landscaped areas shall be regularly maintained in a professional manner; and that any planters, planter boxes, window boxes or other container plantings shall be likewise maintained on a year-round basis.

Declarant has hereunto set his hand and seal the day and year above first written.

RIVER CENTER ASSOCIATES

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of July, 1987, before me personally came _____ of RIVER CENTER ASSOCIATES, a partnership, the owner of certain real property located at Route 58, Riverhead, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#475. AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS
RE: WELL, WELL PUMP AND APPURTENANCES AND TEST WELLS.

(See Water District Minutes)

#476. AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH AND DEBRIS
AND THE REMOVAL OF WEEDS FROM PROPERTY OWNER PURSUANT TO
SECTION 96-1B OF THE RIVERHEAD TOWN CODE.

RESOLUTIONS Continued

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, Section 96-1B of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of weeds in the landscaped areas and, also, in the paved areas; and

WHEREAS, property located on Route 25A, Wading River, New York, also known as Suffolk Tax Map #75-3-3.3 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board desires to require the removal of the rubbish and debris and the removal of the weeds at the property above; and

WHEREAS, the Town Board desires to require the repair of the parking area and also, appropriate stripes to be placed in the parking area; and

WHEREAS, the Town Board desire to require additional waste receptacles of a decorative design installed at the above mentioned property with regular maintenance of this property.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Serota & Son by certified mail, return receipt requested, and by regular mail, in a plain, unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached Notice to Property Owner.

NOTICE TO PROPERTY OWNER

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96, the Town of Riverhead hereby requires that you cause the property located at Route 25A, Wading River, New York, and known as Suffolk County Tax Map ID No. District 0600, Section 75, Block 3, Lot 3.3, to be cleaned of all rubbish, refuse and other debris and that the weeds are removed from the landscaped areas and in the paved areas. The Town of Riverhead requires additional waste receptacles of a decorative design to be installed on said property. The parking area must be repaired and properly striped.

PLEASE TAKE FURTHER NOTICE, that your failure to respond by completing the work required will cause the Town of Riverhead to have the work done for you and you will be billed for the cost. If you fail to pay such bill, a lien will be placed against your property pursuant to Riverhead Town Code Section 96.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#477 EXEMPTS APPLICATION FROM MORATORIUM AND CALLS PUBLIC HEARING.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

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RESOLUTIONS Continued

WHEREAS, Doctor Louis Pizzarello has applied to the Town Board of the Town of Riverhead for application of a professional business (PB) overlay district to be applied to the bottom one half of premises to be purchased located at the southeast corner of Roanoke Avenue and Ackerly Street, Riverhead, New York; and

WHEREAS, the Planning Board of the Town of Riverhead has reviewed said application and has recommended approval of same; and

WHEREAS, the Town Board of the Town of Riverhead has considered the existence of the current moratorium and, with reference to this application only, finds that the overlay district should be created and the moratorium lifted as to this application only.

NOW, THEREFORE, BE IT

RESOLVED, that the application of Doctor Louis Pizzarello, be and is hereby exempted from the moratorium with regard to overlay districts; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead hereby calls a public hearing to be held on the 4th day of August 1987 at 7:45 p.m., at Riverhead Town Hall, Riverhead, New York; and

BE IT FURTHER RESOLVED, the adoption of this resolution only permits the applicant to continue with the process of obtaining all necessary permits; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in its entirety in the July 16th edition of the News-Review; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#478 EXTENDS MORATORIUM AT SOUTHWEST SECTOR.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, on January 13, 1987, the Town Board of the Town of Riverhead did enact a moratorium on special permits, major subdivisions, and building permits within the Southwest Sector of the Town of Riverhead for the purpose of rezoning lands therein in a manner appropriate to the orderly growth and development of the Township, and

WHEREAS, the Planning Department has completed the necessary inventories and land use planning studies, and has recommended zoning changes appropriate to said orderly growth and development;

NOW, THEREFORE, BE IT

RESOLVED, that the moratorium enacted at the Southwest Sector of the Town of Riverhead by resolution #64 of this Town Board, dated January 13, 1987, be and is hereby extended until November 2, 1987, for the purpose of accomplishing the changes of zone recommended by the Planning Department of the Town of Riverhead, and be it further

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RESOLUTIONS Continued

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Riverhead News-Review and post same at the Town Hall, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board, the Riverhead Planning Department, the Riverhead Building Department and the Riverhead Zoning Board of Appeals.

Councilman Pike, "Over the last (roughly) six months, from January 13th until this time, the Town has been undertaking a comprehensive look at our Pine Barrens area or what we occasionally call the Southwest Sector or the Southwest Quadrant. It is the area of the wild portions and scenic portions of the Peconic River that is the area of this project which would be subject to fairly strict environmental review and it is the area of the permanent water supply of the Town of Riverhead. We have, just on Monday, saw from our Planning Department, preliminary suggestions from them coordinating the existing land uses, the natural features that need to be preserved. We need to coordinate this with the implementation of the Scenic and Recreational River Designations at the State level. And so that fairly soon, we hope to be able to lift all of the moratoriums in the entire Southwest Quadrant and have a zoning in place that will protect the water supply and protect the natural resources including one of the most significant habitat areas in this state. We are extending the moratorium so further developments like that last one, can be applied for in the area until such time the new zoning is in place. I move the resolution extending that moratorium until November 2nd."

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, (before voting) "I read in the paper today that we're going to spend another 100 million to buy all of the Pine Barrens. So probably by the time we get done rezoning this, it's all going to be bought up by the county any how."

#479 TRANSFER OF FUNDS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor is hereby authorized to transfer the following:

	<u>FROM</u>	<u>TO</u>
A599 Appropriated Fund Balance	100,000.00	
A8020.420 Planning Consulting Fees		100,000.00

RESOLUTIONS Continued

Supervisor Janoski, "By way of explanation, this Board has considered a 200 thousand dollar appropriation in bonding for the purpose of planning in the Town of Riverhead. The State of New York has disallowed the bonding of money for that purpose. What we are doing here to finance planning study for the rest of this fiscal year, is to use appropriate fund bonds and transfer that to the planning consultant fees and that should finance the work that we are going to be engaged in this year."

Councilman Boschetti, "We have discussed the possible bonding. And since we can no longer bond in the way we had anticipated, doesn't this resolution at this particular point in time, mandate that we then bond to some degree in order to replace the funds that we are transferring?"

Supervisor Janoski, "This is the appropriate fund balance which will be exactly what it is. It's a balance of money which is left over from the various line items we're expecting. I would think that about 200 thousand. We're expecting a fund balance of about 200 thousand or perhaps more. So this is using what would be a surplus which is not my preference but...."

Councilman Boschetti, "A surplus in the budget."

Supervisor Janoski, "Yes."

Councilman Boschetti, "So you're saying there is a surplus in the budget?"

Supervisor Janoski, "There should be about 200 thousand dollars of surplus."

Councilman Boschetti, "Ok. Thank you."

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#480 AMENDS SITE PLAN OF HENRY E. APPEL.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, site plan approval was granted to Henry E. Appel by resolution #49 adopted January 7, 1986, for the construction of three office buildings located at Route 25A, Wading River, New York; and

WHEREAS, the required set back need to be adjusted to conform to the Business CR Zoning Use Classification District; and

WHEREAS, the applicant has submitted an amended site plan for this Board's consideration.

NOW, THEREFORE, BE IT

RESOLUTIONS Continued

RESOLVED, that the amended site plan of Henry E. Appel dated July 7, 1987, as prepared by Donald A. Denis, A.I.A., P.C., adjusting the required set back requirements to conform to the Business "CR" Zoning Use Classification, be and is hereby approved; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., attorney for the applicant, the Riverhead Building Department and the Riverhead Planning Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#481 AUTHORIZES TOWN EXPENDITURES.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Supervisor be and hereby is authorized to pay the following:

GENERAL TOWN

Abstract #8 totalling \$626,902.95 vouchers 6010-6188

HIGHWAY

Abstract #8 totalling \$ 88,418.59 vouchers 329-354

TOWN HALL CAP. PROJECTS

Abstract #8 totalling \$ 75,635.86 vouchers 156-189

STREET LIGHTING

Abstract #8 totalling \$ 14,567.96 vouchers 149-154

PUBLIC PARKING

Abstract #8 totalling \$ 5,773.14 vouchers 137-142

SMALL CITIES

Abstract #8 totalling \$ 31,174.41 vouchers 264-273

AMBULANCE

Abstract #8 totalling \$ 55.21 vouchers 6

YOUTH SERVICES

Abstract #8 totalling \$ 2,116.55 vouchers 16-21

SRS. HELPING SRS.

Abstract #8 totalling \$ 3,215.97 vouchers 36-46

MUNICIPAL GARAGE

Abstract #8 totalling \$ 4,395.04 vouchers 115-118

CHIPS

Abstract #8 totalling \$ 14,364.97 vouchers 8

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RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes,
Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the
meeting adjourned at 8:24 p.m.

IJP:nm



Irene J. Pendzick
Town Clerk